

EXHIBIT A
TO
MOTION TO DISMISS ON GROUNDS OF JURISDICTION

Declaration of Defendant Ke Yi Ke Er Shenzhen Toys Co., Ltd.

I, Shaoru Chen, state and declare as follows, under penalty of perjury:

1. I am over 18 years of age and fully competent to make this declaration. I have personal knowledge of the matters set forth below.

2. I am an authorized representative of Defendant Ke Yi Ke Er Shenzhen Toys Co., Ltd., (“**Defendant**”).

3. Defendant operates out of a single office, located at the following address:

No. 34 Xiangyin Road, Nanlian Community, Longgang Street, Building 4
301, Shenzhen, Guangdong, 518400, CN

4. Like Plaintiff, Defendant is in the business of manufacturing and selling lifelike baby dolls. One such product is listed on Amazon, under the name “Miaio Reborn Baby Dolls.”

5. Defendant does not currently have or seek business relationships with any company in the State of Utah. The product cited in the Complaint was not advertised by Defendant directly but listed for sale on Amazon.com, a third-party website.

6. Defendant does not own real property or maintain offices in the State of Utah.

7. Defendant is not registered to do business in either the State of Utah or the United States, nor has Defendant paid taxes in the State of Utah.

8. Defendant has never obtained a registered agent in the United States for service of process and does not currently have such an agent.

9. Defendant has not received any sales or transactions from the State of Utah.

10. Defendant has never conducted any sort of business promotion or advertising campaign in the State of Utah or the United States, aside from its listing on Amazon.com.

11. On April 19, 2023, Defendant received a “**Policy Warning Notice**” from Amazon. The Notice explained that Defendant’s listing for the Miaio Reborn Baby Doll was removed because Plaintiff filed a report with Amazon, alleging Plaintiff owned the copyright to the sculpts used to make Defendant’s product and thus accusing Defendant of copyright infringement.

12. Defendant contacted customer service at Amazon after receiving the Policy Warning Notice from Amazon, seeking information on how they could resolve the issue.

13. Defendant appealed Amazon’s removal of Miaio Reborn Baby Doll on April 25, 2023, by submitting a Counter-Notice on the grounds of mistake or misidentification under the Digital Millennium Copyright Act (“**Act**”). Plaintiff had filed its initial Amazon claim under this Act and responding with a Counter-Notice was the only way to restore Defendant’s product link on Amazon. The link was restored on May 11, 2023.

14. Defendant had no communication with Plaintiff prior to receiving the Amazon Policy Warning Notice and the instigation of this lawsuit.

15. Due to the overseas location of Defendant’s sole office, it would cause extreme burden and hardship upon Defendant to have to appear in a Utah court. In my experience, a direct one-way flight to Utah takes approximately 15 hours; this journey can total over 24 hours once layovers are factored in.

16. In addition to a strenuous long journey involving vastly different time zones, traveling to Utah harms Defendant by causing conflicts in the management of our existing

business commitments, as well as our employees' work and personal commitments. I estimate that each trip to the State of Utah would cost Defendant approximately \$5,000.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: October 30, 2023

/s/ Shaoru Chen
Shaoru Chen